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EPA4213@epa.state.il.us on 03/27/2000 04:30:40 PM

To: MICHAEL MCATEER cc: EPA4126.PO_BOL.DO_BOL, EPA4437.PO_BOL.DO_BOL, EPA4452.PO_BOL.DO_B

Subject: Re: Sauget Area I UAO for Sediments removal / containment

Hi Mike

As you can see from Terri's attached comment, the groundwater monitoring plan language is still inadequate. The regs are not optional and we've made this comment more than once.

Also, are you satisfied that submittal of the mitigation plan sixty days after completion of the removal is timely? Factor in some time for government review and Solutia's revisions and it could take 5 to 6 months to implement the provisions of the plan. Seems excessive. *after sed removal*

I agree that the "risk based" language had to come out since there is no risk assessment data; the "as appropriate" language may provide sufficient ambiguity to allow the removal to proceed if you are comfortable with future discretionary decision making. Just so you know, that makes me more than a little nervous.

There are still concerns here about placement/maintenance of a liner in the creek, but I'm at a loss to suggest any sort of alternative performance standard. It's my opinion that Solutia believes that this removal action is the final remedial action, and it will likely be nearly impossible to get additional work in the future--particularly if ecorisk rather than human health risk is the driver.

Rob Watson had a number of comments on the containment cell and the RCRA decision guide and those were sent to you and Tom on Friday. Rob may have additional comments on this version of the order.

Please call so that we can discuss these and any other issues. Is Tom still hoping for a final order by the end of the week?

thanks, crm



- GWMONPLN.00